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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Continuation of:**

Applicants: Kelly J. Henrickson, et al.  
Serial No.: 09/484,704  
Filed: January 18, 2000  
For: METHOD OF DETECTING THE PRESENCE OF A  
TARGET NUCLEIC ACID VIA A MULTIPLEX  
AMPLIFICATION REACTION USING UNEQUAL PRIMER  
CONCENTRATION  
Group Art Unit: 1637  
Examiner: J. Siew

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**INFORMATION DISCLOSURE STATEMENT**

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Dear Sir:

Pursuant to 37 C.F.R. 1.98, enclosed herewith are documents which the Applicants in the above-identified patent application wish to bring to the attention of the Examiner for consideration in connection with the examination on the merits of this patent application.

**U.S. Patents**

4,683,202; Mullis; July 28, 1987.

5,176,995; Sninsky, et al.; January 5, 1993.

5,187,060; Cerutti, et al.; February 16, 1993.

5,288,630; Wathen; February 22, 1994.

5,508,168; Orle, et al.; April 16, 1996.

5,712,092; Orth, et al.; January 27, 1998.

5,744,299; Henrickson; April 28, 1998.

5,932,222; Randolph, et al.; August 3, 1999.

6,015,664; Henrickson; January 18, 2000.

#### Foreign Patents

418960A2; EP; 27.03.91.

#### Non-Patent Documents

Briedis, et al., "Influenza B Virus Genome: Sequences and Structural Organization of RNA Segment 8 and the mRNAs Coding for the NS<sub>1</sub> and NS<sub>2</sub> Proteins," J. Virol. 42(1):186-193 (1982).

Fan, et al., "Rapid Diagnosis of Human Parainfluenza Virus Type 1 Infection by Quantitative Reverse Transcription-PCR-enzyme Hybridization Assay," J. Clin. Microbiol. 34:1914-1917 (1996).

Henrickson, et al., "Antibody Response in Children to Antigen Sites on Human PIV-3 HN: Correlation with Known Epitopes Mapped by Monoclonal Antibodies," Vaccine 8:75-80 (1990).

Henrickson, et al., "Neutralizing Epitopes of Human Parainfluenza Virus Type 3 are Conformational and cannot be Imitated by Synthetic Peptides," Vaccine 9:243-249 (1991).

Henrickson, "Monoclonal Antibodies to Human Parainfluenza Virus Type 1 Detect Major Antigenic Changes in Clinical Isolates," J. Infect. Dis. 164:1128-1134 (1991).

Henrickson, et al., "Genetic Variation and Evolution of Human Parainfluenza Virus Type 1 Hemagglutinin Neuraminidase: Analysis of 12 Clinical Isolates," J. Infect. Dis. 166(5):995-1005 (1992).

Henrickson, "Human Parainfluenza Viruses," In, E.H. Lennette (ed.), Diagnostic Procedures for Viral, Rickettsial and Chlamydial Infections. American Public Health Association (1993).

Henrickson, et al., "Epidemiology and Cost of Human Parainfluenza Virus Types 1 and 2 Infection in Young Children," Clin. Infect. Dis. 18:770-779 (1994).

Henrickson, et al., "Recovery of Human Parainfluenza Virus Types One and Two," J. Vir. Methods 46:189-206 (1994).

Henrickson, et al., "Two Distinct Human Parainfluenza Virus Type 1 Genotypes Detected during the 1991 Milwaukee Epidemic," J. Clin. Microbiol. 34:695-700 (1996).

Henrickson, et al., "Isolation and Detection Methods Useful for Efficient Recovery of Human Parainfluenza Virus Types One and Two," Clin. Infect. Dis. (submitted).

Karron, et al., "Rapid Detection of Parainfluenza Virus Type 3 RNA in Respiratory Specimens: Use of Reverse Transcription-PCR-enzyme Immunoassay," J. Clin. Microbiol. 32:484-488 (1994).

Precious, et al., "Sequence Analysis of the HN Gene of Parainfluenza Virus Type 2," J. Gen. Virol. 71:1163-1168 (1990).

Consideration of these documents during the examination of this application is respectfully requested. As this Statement refers to a related case (09/484,704), no

copies of the references are enclosed. If any fees are necessary to enter this Statement, please charge deposit account 17-0055.

Respectfully submitted,

Kelly J. Henrickson, et al.

January 27, 2004

By: Jean C. Baker  
Jean C. Baker  
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PTO/SB/08A (08-00)

Approved for use through 10/31/2002.

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<p>Substitute for form 1449A/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p><i>(use as many sheets as necessary)</i></p>				<p><b>Complete if Known</b></p>	
				<b>Application Number</b>	
				<b>Filing Date</b>	January 27, 2004
				<b>First Named Inventor</b>	Kelly J. Henrickson
				<b>Group Art Unit</b>	
				<b>Examiner Name</b>	
<b>Sheet</b>	1	<b>of</b>	3	<b>Attorney Docket Number</b>	650053.91126

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO			<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>			Application Number	
(use as many sheets as necessary)			Filing Date	January 27, 2004
			First Named Inventor	Kelly J. Henrickson
			Group Art Unit	
			Examiner Name	
			Attorney Docket Number	650053.91126
Sheet	2	of	3	

<b>OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS</b>		
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
		Briedis, et al., "Influenza B Virus Genome: Sequences and Structural Organization of RNA Segment 8 and the mRNAs Coding for the NS1 and NS2 Proteins," J. Virol. 42(1):186-193 (1982).
		Fan, et al., "Rapid Diagnosis of Human Parainfluenza Virus Type 1 Infection by Quantitative Reverse Transcription-PCR-enzyme Hybridization Assay," J. Clin. Microbiol. 34:1914-1917 (1996).
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